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PATENT  
P56255

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

DONG-YOOL LEE

Serial No.: 09/805,929

Examiner: DANIEL JR. WILLIE J.

Filed: 15 March 2001

Art Unit: 2686

For: CALL ORIGINATING SERVICE METHOD IN A PUBLIC AND PRIVATE  
COMMON MOBILE COMMUNICATION SYSTEM AND APPARATUS

**PETITION UNDER 37 C.F.R. §1.181**

**Paper No. 16**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests consideration of a Chinese reference cited in the  
Information Disclosure Statement filed on 18 February 2005, as and as reasons therefor states  
that:

Folio: P56255  
Date: 4/8/05  
I.D.: REB/kf

**STATEMENT OF FACTS**

1. On 18 February 2005, Applicant filed an Information Disclosure Statement with a PTO-1449 form, citing a Chinese Publication No. 1148778A to Toi, U.S. Patent No. 6,035,193 to Buhrmann *et al.*, and a Chinese Office action issued in a Chinese patent application corresponding to the present application. A copy of the Toi '778 Chinese reference, the Chinese Office action and its English translation were attached to the Information Disclosure Statement.
2. In the Information Disclosure Statement filed on 18 February 2005, the Toi '778 Chinese reference was identified as "Chinese Patent Publication No. 1148778A to Toi, entitled PERSONAL HAND TELEPHONE SYSTEM, published on 30 April 1997."
3. In the Information Disclosure Statement filed on 18 February 2005, a concise explanation of the relevance, as it is presently understood by Applicant and Applicant's undersigned attorney, was presented for the Toi '778 Chinese patent
4. On 28 March 2005, an Office action (Paper No. 03) was issued in the above-captioned application. A copy of the PTO-1449 form filed on 18 February 2005 was attached to Paper No. 03. The Examiner indicated his consideration of Buhrmann *et al.* '193 and the Chinese Office action by initialing those items in the copy of the PTO-1449. The Toi '778 patent however, was crossed out in the copy of the PTO-1449 form.
5. In paragraph 3 of the Office action issued on 28 March 2005 (Paper No. 03), the Examiner stated that:
  - "a. Document No. CN1,148,778A was not considered."

**REMARKS**

A photocopy of a postcard receipt dated 18 February 2005 attesting to the filing of the Information Disclosure Statement on 18 February 2005, including the PTO-1449, two (2) references and the Chinese Office action with an English translation, is attached to this Petition.

It is submitted that the Information Disclosure Statement filed in the U.S. Patent & Trademark Office on 18 February 2005 was fully in compliance with 37 C.F.R. §§1.97 and 1.98 and therefore, the Information Disclosure Statement should be entered and the references set forth in that Information Disclosure Statement considered by the Examiner.

**RELIEF REQUESTED**

Accordingly, Commissioner is respectfully requested to direct the Examiner to:

- A. Consider the Toi '778 Chinese reference;
- B. Provide Applicant with a copy of the PTO-1449 filed on 18 February 2005 indicating his consideration of Toi '778 reference by initialing that reference; and
- C. Grant such other and further relief as justice may require.

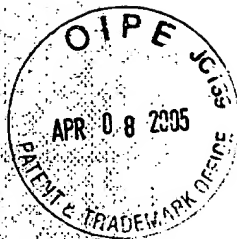
Respectfully submitted,



Robert E. Bushnell  
Attorney for the Applicant  
Registration No.: 27,774

1522 "K" Street N.W., Suite 300  
Washington, D.C. 20005  
(202) 408-9040

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**18 February 2005**

Applicant : DONG-YOUL LEE

S.N.: 09/805,929

Filed: 15 March 2001

For: *CALL ORIGINATING SERVICE METHOD IN A PUBLIC AND  
PRIVATE COMMON MOBILE COMMUNICATION SYSYTEM  
AND APPARATUS*

**Document(s):**

- Information Disclosure Statement and PTO-1449
- 2 references
- Chinese Office Action with English translation

